

REMARKS

In the Office Action, claims 1-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over EP 0194634. Claims 1-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over EP 0194634 in view of Bernard et al. (U.S. Pat. No. 3,597,576).

Applicant would like to thank Examiner Mark Paschall for the consideration given Applicant's attorney during the telephone interview of December 9, 2008. At the interview, agreement was reached with respect to the claims to distinguish the claims over the prior art of record. It was further agreed that, in the absence of more relevant prior art, the captioned application should be in condition for allowance.

The microparticles according to the invention are mixed inside of a total volume of a metal or metal alloy.

The coating disclosed in the EP '634 reference has a shielding function. This known coating is formed only inside of a bore. One of ordinary skill in the art, knowing such a method which is able to form a coating inside of a bore would not know about mixing microparticles into a metal or a metal alloy in a uniformly distributed manner to increase the life of a plasma torch nozzle.

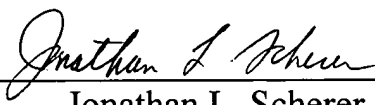
Claims 1-15 are patentable in view of the EP '634 reference and the Bernhard patent. The disclosure of Bernhard concerns a heat shield for a welding gun. The shield prevents the deposition of metal spatter and metal vapour at the nozzle of such a gun. It consists of a first and a second tube. The first tube is composed of a non-electrically conductive material. The second tube is composed of a high-temperature-resisting metal or carbide. The two tubes are different parts. There is no disclosure for the use of nozzle material made from a mixture of two different materials and one of these materials is in a form of microparticles and dispersed in a uniformly distributed manner in a volume of a metal or metal alloy.

Based on the foregoing amendments and remarks, it is respectfully submitted that the present application should now be in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

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